

Remarks

The Examiner has objected to the drawings as failing to comply with 37 CFR 1.94(p)(4) based on use of reference number “96” with respect to two separate elements in FIG. 4b. A replacement sheet for sheet 6/14 with correction to FIG. 4b to correct reference to the groove as element 95 is provided herewith. An amendment to the specification at page 7 line 24 has been made to correctly reference this element number.

The Examiner has object to the drawings as failing to comply with 37 CFR 1.94(p)(5) based on lack of reference number “152” in FIG. 9b as referenced in the specification at page 10 line 9. A replacement sheet 14/14 is provided correcting the erroneous identification of elements “140” with the proper element number “152”. It is believed that the drawings are now in compliance and withdrawal of the Examiner’s objection is respectfully requested.

The Examiner has objected to the claims based on the inadvertent omission of a claim 18 in the application as filed. The claims listing provided herein renumbers claims 19 and 20 as filed with numbers 18 and 19 as noted by the Examiner in paragraph 3 of the office action.

The Examiner’s allowance of claim 19 and acknowledgement of allowable subject matter in claims 6, 8, 9, and 14 – 16 if rewritten in independent form including all of the limitation s of the base claim and any intervening claims is noted with appreciation.

Claim 1 has been amended to include limitations for circumferential drive engagement of an actuator disc which is believed to be consistent with the Examiner’s identification of patentable distinction over the prior art of record with respect to claim 6 but also includes the alternative embodiment for a belt drive as disclosed in FIGs. 4b and 5b and the associated description in the specification at page 7 line 24 through page 8 line 2. Claim 6 has been appropriately amended for dependence from newly amended claim 1. Claim 20 has been added to specifically claim the elements of the alternative embodiment. The applicants respectfully contend that claims 1 and 6 as amended and claim 20 are now allowable.

Claim 8 has been amended to independent form including all limitations of the base claim and is now believed to be allowable.

Claim 9 is now believed to be allowable based on the amendment to claims 1 and 6.

Claim 14 has been amended as an independent claim including all limitations of the base and intervening claims and claim 15 has been amended for dependence on claim 14. The applicants believe that claims 14 – 16 are now allowable.

The Examiner has rejected claims 1 – 5, 7 and 10 – 12 as unpatentable over DE 3,630,324 in view of Hanson. The applicants respectfully contend that the amendment to claim 1 as discussed above renders it allowable over the cited art and the claimed combinations of additional elements in dependent claims 2-5 and 10-12 are similarly patentable. Claim 10 has been amended to reflect dependence from newly amended claim 1. Claim 7 has been cancelled

The Examiner has rejected claims 1, 7, 10, 12, 13, 17 and 18 as unpatentable over JP 9-224881. The applicants respectfully contend that claims 1, 10 and 12 are now patentable as argued above. Similarly claim 13 which depends from amended claim 1 including all limitations thereof is believed to be patentable over the cited art.

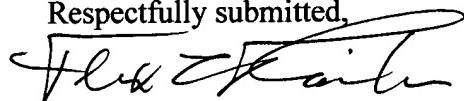
While the applicants contend that claim 17 is now allowable based on its dependence from amended claim 1 through claim 13, claim 17 has also been amended to clarify the invention. As disclosed in the specification on page 9 lines 12-16, the present invention incorporates buoyancy to orient the internal cleaning element independent of the magnetic attraction forces between the components of the inner and outer elements. The cord (element 41) of JP 9-224881 arguably may allow recovery of the inner cleaning element or provide a rough positioning. However, no independent self orienting element comparable to that disclosed and claimed in the present invention is disclosed or suggested in the prior art reference and the applicants respectfully request that this rejection be withdrawn in light of the amendment to claim 17.

While the applicants contend that claim 18 is also now allowable based on its dependence from amended claim 1 through claim 13, claim 18 has also been amended to clarify the invention. Based on the Examiner's comments with respect to the disclosure of a "sand guard" in JP 9-224881, the applicants believe that this element as claimed may have been misunderstood. As disclosed in the specification at page 9 beginning at line 5 "For use of the invention in an aquarium cleaning capacity, the bottom edge 132 of the

sleeve incorporates a sand guard which, during operation, slides into the sand to reach the edge of the aquarium bottom thereby preventing the spinning foam disc from being dragged into or becoming mired in the sand (or kicking up sand).” Claim 18 has been amended to reflect the structure and function of the sand guard. The applicants respectfully contend that neither JP 9-224881 nor the other cited prior art discloses or suggests a sand guard element as an element of the combination of the current invention.

Based on the amendments made and the argument provided, the applicants believe that all claims now pending in the application are in condition for allowance and action by the Examiner in that regard is requested.

Respectfully submitted,



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